

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOLLY ROGER OFFSHORE FUND LTD and	:	
JOLLY ROGER FUND LP, Individually, and	:	
On Behalf of All Others Similarly Situated,	:	Electronically Filed
	:	
Plaintiff,	:	Civil Action No.: 1:07-cv-03923-RWS
	:	(ECF Case)
v.	:	
	:	Hon. Robert W. Sweet
BKF CAPITAL GROUP, INC.,	:	
GLENN A. AIGEN and JOHN A. LEVIN,	:	
	:	
Defendants.	:	
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**MOTION OF THE JOLLY ROGER OFFSHORE FUND LTD AND JOLLY ROGER  
FUND LP FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF  
SELECTION OF LEAD COUNSEL**

PLEASE TAKE NOTICE that class members Jolly Roger Offshore Fund LTD and Jolly Roger Fund LP (the “Jolly Roger Funds” or “Movant”) by their counsel, hereby move this Court for an Order: (i) appointing the Jolly Roger Funds as Lead Plaintiff; (ii) approving the Jolly Roger Funds’ selection of Labaton Sucharow & Rudoff LLP to serve as Lead Counsel; and (iii) granting such other and further relief as the Court may deem just and proper. In support of this motion, the Jolly Roger Funds submit herewith a Memorandum of Law and Declaration of Alan I. Ellman.

Dated: July 17, 2007

Respectfully submitted,

**LABATON SUCHAROW  
& RUDOFF LLP**

By: /s/ Christopher J. Keller  
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